

### **REMARKS/ARGUMENTS**

In the Office Action mailed April 5, 2005, the 102(e) and 103(a) rejections in the previous Office Action (mailed September 1, 2004) were withdrawn. Claims 1-77, 104-105 and 107-108 were rejected under the judicially created doctrine of obviousness-type double patenting over U.S. Patent No. 6,258,577 in view of Goodrich, Jr. et al (US patent 6,277,337). Claims 1-77, 104-105 and 107-108 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting over U.S. patent application 09/962,019 in view of Goodrich, Jr. et al (US patent 6,277,337). Claims 1-77, 104-105 and 107-108 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting over U.S. patent application 10/357,599 in view of Goodrich, Jr. et al (US patent 6,277,337). Claims 78-103 and 106 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting over U.S. patent application 10/357,599 in view of Goodrich, Jr. et al (US patent 6,277,337).

#### **Rejection of claims 1-77, 104-105 and 107-108 over 6,258,577 in view of 6,277,337**

In the Office Action mailed April 5, 2005, claims 1-77, 104-105 and 107-108 were rejected under the judicially created doctrine of obviousness-type double patenting over claims 1-18 of US patent 6,258,577 in view of Goodrich, Jr. et al (US patent 6,277,337). In the Office Action, it was stated the claims of the 6,258,577 patent failed to teach various aspects of the claimed invention. Portions of the specification of the 6,277,337 reference were then used in the rejection to allegedly teach aspects of the claimed invention that were missing from the claims of the 6,258,577 patent.

The 6,277,337 reference is not prior art to the current application. The 6,277,337 reference was removed from prior art in the response to the previous Office Action (Office Action mailed September 1, 2004). In the current Office Action, the Examiner indicated the 102(e) and 103(a) rejections over 6,258,577 in view of US patent 6,277,337 were overcome (paragraph number one of current Office Action). Therefore, the 6,277,337 patent is not properly cited against the current application. Since the

Office Action stated the claims of the 6,258,577 reference alone do not teach all limitations of the current claims, the obviousness-type double patenting rejection of claims 1-77, 104-105 and 107-108 is improper and should be withdrawn.

Reconsideration and withdrawal of the rejection is respectfully requested.

Provisional rejection of claims 1-77, 104-105 and 107-108 over 09/962,029 in view of 6,277,337

In the Office Action mailed April 5, 2005, claims 1-77, 104-105 and 107-108 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting over claims 1, 3-6, 29 and 32 of copending application 09/962,029 in view of Goodrich, Jr. et al (US patent 6,277,337). Application 09/962,029 is abandoned, so this rejection is moot. Reconsideration and withdrawal of the rejection is respectfully requested.

Provisional rejection of claims 1-77, 104-105 and 107-108 over 10/357,599 in view of 6,277,337

In the Office Action mailed April 5, 2005, claims 1-77, 104-105 and 107-108 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting over claims 1-11 and 31-38 of copending application 10/357,599 in view of Goodrich, Jr. et al (US patent 6,277,337). For the record, 10/357,599 has issued as US patent 6,843,961. The Office Action stated the 10/357,599 reference failed to teach various aspects of the claimed invention. The Office Action then used various portions of the specification of the 6,277,337 patent to allegedly provide these missing aspects of the invention. As stated above, the 6,277,337 patent is not prior art to the current application and since the claims of the 10/357,599 reference alone do not teach all limitations of the current claims, the rejection is improper. Reconsideration and withdrawal of the rejection is respectfully requested.

Provisional rejection of claims 78-103 and 106 over 10/357,599 in view of 6,277,337

In the Office Action mailed April 5, 2005, claims 78-103 and 106 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting over claims 12-30 of copending application 10/357,599 in view of Goodrich, Jr. et al (US patent 6,277,337). The Office Action stated the 10/357,599 reference failed to teach various aspects of the claimed invention. The Office Action then used various portions of the specification of the 6,277,337 patent to allegedly provide these missing aspects of the invention. As stated above, the 6,277,337 patent is not prior art to the current application and since the claims of the 10/357,599 reference alone do not teach all limitations of the current claims, the rejection is improper. Reconsideration and withdrawal of the rejection is respectfully requested.

**CONCLUSION**

In view of the above arguments, it is believed that all rejections are overcome. Reconsideration and withdrawal of all rejections is respectfully requested. If there are any issues remaining to allowance of this application, the Examiner is respectfully requested to telephone the undersigned.

It is believed that the present submission does not require the payment of any fees. If this is incorrect however, please charge any fees required, including any extensions of time required, to Deposit Account No. 07-1969.

Respectfully submitted,

  
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